

105TH CONGRESS
1ST SESSION

H. R. 302

Entitled “Rocky Mountain National Park Wilderness Act of 1997”.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1997

Mr. SKAGGS (for himself and Ms. DEGETTE) introduced the following bill;
which was referred to the Committee on Resources

A BILL

Entitled “Rocky Mountain National Park Wilderness Act
of 1997”.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rocky Mountain Na-
5 tion Park Wilderness Act of 1997”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 The Congress finds that—

8 (1) it is in the national interest to include cer-
9 tain lands in Rocky Mountain National Park within
10 the National Wilderness Preservation System so as
11 to protect those lands’ enduring scenic and historic

1 wilderness character and unique wildlife and to pre-
2 serve the lands' scientific, educational, recreational,
3 and inspirational resources and challenges;

4 (2) to fulfill the purposes of the wilderness des-
5 ignation of those lands, as expressed in this Act and
6 the Wilderness Act of 1964 (16 U.S.C. 1131 et
7 seq.), it is necessary for the United States to have
8 rights to water within Rocky Mountain National
9 Park; and

10 (3) the existing rights of the United States to
11 water within Rocky Mountain Park for national park
12 purposes, which are being adjudicated in the courts
13 of the State of Colorado, may be sufficient to fulfill
14 the purposes of the wilderness designation of those
15 lands.

16 **SEC. 3. WILDERNESS DESIGNATION AND MAPS.**

17 (a) DESIGNATION.—(1) In furtherance of the pur-
18 poses of the Wilderness Act (16 U.S.C. 1131 et seq.), cer-
19 tain lands in Rocky Mountain National Park, Colorado,
20 which comprise approximately 240,700 acres, as generally
21 depicted on a map entitled “Rocky Mountain National
22 Park Wilderness—Proposed” and dated April 1996, are
23 hereby designated as wilderness and, therefore, as compo-
24 nents of the National Wilderness Preservation System,
25 and, together with the lands referred to in paragraph (2),

1 shall be known as the Rocky Mountain National Park Wil-
2 derness.

3 (2) Those lands within the Indian Peaks Wilderness
4 (as designated by Public Law 94–450 (92 Stat. 1099))
5 that were transferred to Rocky Mountain National Park
6 by section 111(a) of Public Law 96–580 (94 Stat. 3272),
7 which comprise approximately 2,917 acres, shall be in-
8 cluded in, and administered as part of, the Rocky Moun-
9 tain National Park Wilderness designated by paragraph
10 (1).

11 (b) MAP AND DESCRIPTION.—As soon as practicable
12 after the date of enactment of this Act, the Secretary of
13 the Interior shall file a map and a boundary description
14 of the area designated as wilderness by this section with
15 the Committee on Natural Resources of the United States
16 House of Representatives and with the Committee on En-
17 ergy and Natural Resources of the United States Senate.
18 That map and description shall have the same force and
19 effect and if included in this Act, except that the Secretary
20 is authorized to correct clerical and typographical errors
21 in such map and description. That map and boundary de-
22 scription shall be on file and available for public inspection
23 in the office of the Director of the National Park Service,
24 Department of the Interior.

1 **SEC. 4. ADMINISTRATIVE PROVISIONS.**

2 (a) IN GENERAL.—Subject to valid existing rights,
3 lands designated as wilderness by this Act shall be man-
4 aged by the Secretary of the Interior in accordance with
5 the Wilderness Act and this Act, except that, with respect
6 to the wilderness area designated by this Act, any ref-
7 erence in the Wilderness Act to the effective date of the
8 Wilderness Act shall be deemed to be a reference to the
9 date of enactment of this Act.

10 (b) RESERVED WATER RIGHTS.—(1) Within the area
11 designated as wilderness by section 3(a)(1), there is here-
12 by reserved a quantity of water sufficient to fulfill the pur-
13 poses of that wilderness designation.

14 (2) The priority date of the water rights reserved in
15 paragraph (1) shall be the date of enactment of this Act.

16 (3) The Secretary of the Interior and other appro-
17 priate officers of the United States shall take all steps nec-
18 essary to protect the rights reserved by paragraph (1), in-
19 cluding the filing by the Secretary of a claim for the quan-
20 tification of such right in any present or future appro-
21 priate stream adjudication in the courts of the State of
22 Colorado in which the United States has been or is here-
23 after properly joined in accordance with section 208 of the
24 Act of July 10, 1952 (43 U.S.C. 666), commonly referred
25 to as the “McCarran Amendment”.

1 (4) The water rights reserved by paragraph (1) shall
2 be in addition to any water rights which may have been
3 previously reserved or appropriated by the United States
4 in the State of Colorado before the date of enactment of
5 this Act.

6 (5) In the case of any lands designated as wilderness
7 by section 3(a)(1) for which the United States has re-
8 served rights for national park purposes to all the water
9 within those lands that was unappropriated at the time
10 those lands were included in Rocky Mountain National
11 Park, those existing rights shall be deemed sufficient to
12 fulfill the purposes of the wilderness designation of those
13 lands made by section 3(a)(1).

14 (c) COLORADO-BIG THOMPSON PROJECT.—This Act
15 shall not be construed to prevent or impede activities
16 under the surface of lands designated as wilderness by this
17 Act to operate, maintain, repair, or replace the Alva B.
18 Adams Tunnel of the Colorado-Big Thompson Project.

19 (2) Section 1 of the Act of January 26, 1915 (16
20 U.S.C. 191; 38 Stat. 798), is amended by striking the last
21 sentence

○